



12-31-03

3763

EXPRESS MAIL NO. EV336595295US

**TRANSMITTAL  
FORM***(To be used for all correspondence  
after initial filing)*

Application Number	10/039,240
Filing Date	January 4, 2002
First Named Inventor	Vincent E. Bryan
Art Unit	3763
Examiner Name	LoAn H. Thanh
Attorney Docket No.	170134.401

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> CD(s), Number of CD(s) _____
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Amendment/Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group ( <i>Appeal Notice, Brief, Reply Brief</i> )
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Appeal Communication to Group ( <i>Appeal Notice, Brief, Reply Brief</i> )
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Declaration	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Information Disclosure Statement; Form PTO-1449	<input type="checkbox"/> Statement under 37 CFR 3.73(b)	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Cited References	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Additional Enclosure(s) ( <i>please identify below</i> ):
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	_____
<input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53		_____
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		_____

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual Name	E. Russell Tarleton	Customer Number 00500
Signature	<i>E. Russell Tarleton</i>	RECEIVED
Date	December 30, 2003	JAN 05 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	***VIA EXPRESS MAIL***	
Signature		Date:

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
443946\_1.DOC



EXPRESS MAIL NO. EV336595295US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Vincent E. Bryan et al.  
Application No. : 10/039,240  
Filed : January 4, 2002  
For : SPINAL NEEDLE SYSTEM

Examiner : LoAn H. Thanh  
Art Unit : 3763  
Docket No. : 170134.401  
Date : December 30, 2003

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED

JAN 05 2004

RESPONSE TO RESTRICTION REQUIREMENT TECHNOLOGY CENTER R3700  
AND PRELIMINARY AMENDMENT (CORRECTED)

Commissioner for Patents:

In response to the Restriction Requirement dated October 17, 2003, and the Office Action dated December 17, 2003, applicants hereby elect Group I, claims 1-5, 7-10, 12, and 13, for examination at this time. Applicants further elect to prosecute the species corresponding to Figures 1 and 9 and subspecies corresponding to Figures 11a, 11b, of which claims 1-5, 7-10, 12, and 13 read thereon.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.

#8  
PATENT  
Cmab B  
1/6/04  
S. Bryce